

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION**

**Call to Order:** By **CHAIRMAN LILA TAYLOR**, on January 21, 1999 at  
8:00 A.M., in Room 402 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Lila Taylor, Chairman (R)  
Sen. Mike Taylor, Vice Chairman (R)  
Sen. Ken Mesaros (R)  
Rep. Ray Peck (D)  
Rep. Joe Quilici (D)

**Members Excused:** Sen. Eve Franklin (D)

**Members Absent:** None.

**Staff Present:** Lynn Daily, Committee Secretary  
Mary Beth Linder, OBPP  
Amy Sassano, OBPP  
Jim Turner, Legislative Branch

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:** Governor's Office Budget Testimony

**EXHIBIT (jgh16a01):** Commissioner of Political Practices computer  
request

**Judy Browning, Chief of Staff and Legal Council to the Governor,**  
speaks for the governor's office budget.

Governor's office makes over 1,200 appointments per year

Present Law Adjustments (A-34)  
- pay increase for staff

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- the governor requested a pay increase for 4 senior staffers based on the traditional 90% of the governor's salary
- they believed they could cover the cost with vacancy savings
  - at the end of 1998 they lost \$25,000
  - they did replace one person at a higher cost than planned
- reverted \$50,000 into the General Fund

**Questions from Committee Members and Responses:**

**CHAIRMAN TAYLOR** asks about the 1/2 time administrative assistant that has been vacant. **Mrs. Browning** says that over the course of the legislative session, the legislators have taken away the vacant position. They don't have any intentions to fill it, so if the committee would like to take it away they have no objection.

**REP. QUILICI** states that during the discussion of a pay increase last session the committee didn't act on this, they wanted to look at in the whole Approps.

**Mark Holston** speaks for the budget of the Flathead Basin.

**Questions from Committee Members and Responses:**

**SEN. TAYLOR** states that the Flathead office is no longer contributing space so they are asking for an increase in rent. He then asks if Flathead and Lake county are contributing to the Flathead basin. **Mark Holston** says no, they have received full office space in the past, but they have a new policy for rent. They found a local business man that is contributing 1/2 of his office space and they would like to try to restore the budget.

**SEN. TAYLOR** asks why the citizens aren't contributing financially to the Flathead Basin. **Mr. Holston** says in Flathead county they have a plan. **SEN. TAYLOR** asks where they are with the water monitoring. **Mr. Holston** says they have an annual budget of about \$8,500 and they have had some private funds contributed.

**CHAIRMAN TAYLOR** asks what the purpose of the Flathead Basin commission is and when it started.

**EXHIBIT (jgh16a02):** Flathead Basin Commission

**EXHIBIT (jgh16a03):** The Future of the Flathead

**REP. QUILICI** asks where the \$8,500 comes from. **Mr. Holston** says that is above and beyond the staff and the commission. It is their obligation to monitor and protect the water quality of Flathead Basin. The \$8,550 would fund an annual program.

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**{Tape : 1; Side : A; Approx. Time Counter : 0 - 30.6}**

**Mr. Holston** says they are trying to piece together information they think will be valid. They are trying to get some volunteers.

**REP. QUILICI** asks if they will need funding through the legislature. **Mr. Holston** says no. They are using funds through DNRC to hire. They next 2 years will be a very important focus to try to reduce pollution in Flathead Lake. They need to monitor.

**CHAIRMAN TAYLOR** asks how much of the yearly budget do they receive from grants. **Mr. Holston** says they have a DNRC grant. The foundations have been elected to step up to the plate. **CHAIRMAN TAYLOR** asks what the average amount of money is. **Mr. Holston** says from the DNRC it is \$100,000 and from the EPA it is \$450,000. **CHAIRMAN TAYLOR** asks if they actively solicit grants. **Mr. Holston** says yes.

**SEN. TAYLOR** asks if the tribal government still does some monitoring on the lake. **Mr. Holston** says that historically both Lake county and the tribes have contributed \$5,000 yearly for monitoring. The Tribal Government has again picked up some the monitoring.

**Mary Jo Murray, Governor's office accountant**, speaks for the computer issue.

DP 2 - Computer Replacement (page A-36)  
- requesting \$20,000 computer server  
- 60% would be non General Fund

**Questions from Committee Members and Responses:**

**SEN. TAYLOR** asks who the server is for and is it fixed to ISD. **Mrs. Murray** says all of this service work comes out of ISD. The main purpose is to connect all of their 53 people. **SEN. TAYLOR** states that they are asking for \$52,670 to replace 19 computers and asks what kind they will be. **Mrs. Murray** says they could probably get a 17 inch monitor and a 400 megahertz computer and \$2,500 would buy the computer and a three year maintenance contract.

**Jim Turner** speaks about DP 3.

DP 3 - Consensus Council Administrative Assistant (page A-36)

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- established in 1995
- legislature granted a General Appropriation last session
- council established a separate non-profit corporation
- council would have had to reduce \$85,000

**Matt McKinney, Montana Consensus Council**, speaks for the budget.

**EXHIBIT(jgh16a04):** Montana Consensus Council History

**EXHIBIT(jgh16a05):** Montana Consensus Council Index - A Five Year  
Snapshot

**Questions from Committee Members and Responses:**

**CHAIRMAN TAYLOR** asks if there is a tax advantage to people contributing to 501C3. **Mr. McKinney** believes it is similar to giving to the state.

**EXHIBIT(jgh16a06):** The Montana Consensus Council, Inc. (a not-for-profit corporation)

**CHAIRMAN TAYLOR** asks how many organizations are there that do this privately. **Mr. McKinney** says they rely very heavily on people in the private sector.

**SEN. TAYLOR** asks Mr. McKinney to go over the education program. **Mr. McKinney** says it consists of a variety of things. The last two days they taught a two day program on basic principles and processes of the consensus bureau for 35 people. They have also done full length courses with MSU, U of M, and Carrol and shared the responsibility of teaching.

**{Tape : 1; Side : B; Approx. Time Counter : 0 - 28.2}**

**SEN. TAYLOR** asks what the fees are. **Mr. McKinney** says \$75 per hour and they try to adapt to the people's needs. **SEN. TAYLOR** asks how many private citizens show up at the courses. **Mr. McKinney** says 75% are private citizens. a number of the courses only include private citizens.

**CHAIRMAN TAYLOR** asks if they could live with less General Fund.

**Mr. McKinney** says they have an agreement with companies.

**CHAIRMAN TAYLOR** asks what type of agreements they have. **Mr.**

**McKinney** says one example is with Northwest Area Foundation.

They gave them a grant with expectations of matching it to expand what they would be able to provide.

Governor's Office - Mansion Maintenance Program (page A-38)

**Jim Turner** says the committee could do this a one-time-only.

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**Questions from Committee Members and Responses:**

**SEN. TAYLOR** states that they have 1.5 FTE that does personal maintenance and asks if they are normally on call. **Mrs. Murray** says they have a full time cook and a 1/2 time house keeper.

Governor's Office - Air Transportation Program (page A-39)

**Jim Turner** says the LSD has suggested reductions.

**EXHIBIT (jgh16a07):** Governor's Office Aircraft Maintenance

**Mrs. Murray** says maintenance is not optional in the aircraft.

**Questions from Committee Members and Responses:**

**REP. PECK** asks how many hours a year is the airplane in the air.

**Mrs. Murray** says 240 hours.

**SEN. TAYLOR** asks what the cost per year is to fly. **Mrs. Murray** says 40% of the cost is gas and \$6,400 per year is for insurance. It is used by the governor about 120 hours and they are requesting \$187,000 for maintenance.

**Jim Turner** asks about the \$781 per hour. **Mrs. Murray** assumes that part of that is going to the pilot's salary and insurance. The only costs that vary per hour is the amount of gas and maintenance. They have always come out ahead of the commercial rates. They can go anywhere in Montana that has a long enough run way.

**SEN. TAYLOR** asks what if we had Lynch standing by to fly and not pay a commercial company for stand by. **Mrs. Murray** says most commercial airport can't afford to have an airplane on the ground to wait for them.

**Dave Lewis, OBPP,** speaks for the budget.

- have 17 people in office
- almost 25% of people in the office have 25 years of service
- will be moved to the federal building downtown for over a year

**Questions from Committee Members and Responses:**

**REP. QUILICI** asks about the Warton Econometric Forecast. **Mr. Lewis** says they give monthly reports of economic transcription. They have used them for 10-15 years. **REP. QUILICI** states that a lot of the air budget is based on projections.

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**SEN. TAYLOR** asks about the MT PRRIME issues. **Mr. Lewis** says MT PRRIME will be taking over the system and managing equipment so this will drop out of their budget.

**Wyman McDonald, Coordinator for the Office of Indian Affairs,** speaks for the budget.

Governor's Office - Indian Affairs (page A-43)

- created in 1973
- intend to try to coordinate dialog programs between tribal agencies and the government
- at present time responsibility still lies with those duties and to create a forum where various issues can be discussed in a non-threatening environment
- is available to provide advise to reservations and all it entails, including programs, protocol, people, etc.
- culture is very important to the tribes

**{Tape : 2; Side : A; Approx. Time Counter : 0 - 31.9}**

- tribal sovereignty is very important
- government to government relationship is defined and expressed from the head of the government from tribal government to government
- nature of his office is advisory in nature
- something of ears and eyes for the government
- greatest day to dat types of business relates to:
  - development of jobs and economic development
  - education promotion and development
    - probably 95% of all tribal authority work in this field
- some Indians are very distrustful of non-indian world
- when communication breaks down the don't have anymore trust
- would like that when 20% of the tribe is incarcerated would like to consider a tribal prison
  - would give people on the Indian reservation jobs
  - would provide Indian to Indian support
  - sees problem growing not lessening
- pets have made a difference in criminals in Oregon
  - have worked on even the most violent criminals
- 2% employed in state government
- about 1% of these may not be enrolled and are from other states
- goal is to try to gradually bring together
- when he first came in everyone wanted to see him
- was running everywhere
- in the past year he can do more business by phone

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- if Indian inmates could be assured of freedom of Indian practices and the could take place within the wall it would be a big improvement toward their attitude
- would also like to create a forum
  - government representation
  - community representation

**Questions from Committee Members and Responses:**

**REP. PECK** asks about the religious practices. **Mr. McDonald** says it represents that it's the blessing of the Holyman with respect to the treatment of medicinal plants. The Indians are smudged and prayed for and to. Sweat is very important and Saturday morning is supposed to be for this. The guard had to be there and they are made fun of. The aren't allowed to use the chapel restrooms. He would like to have the corrections staff trained to deal with this.

**{Tape : 2; Side : B; Approx. Time Counter : 0 - 29}**

**Myrna Omholt Mason** speaks for the budget.  
Governor's Office - Citizens' Advocate Office (page A-45)  
**EXHIBIT(jgh16a08):** Citizens' Advocate Office

**Gene Haire, Board of Visitors,** speaks for the budget.  
Governor's Office - Mental Disabilities (page A-46)  
**EXHIBIT(jgh16a09):** Written Testimony

**Questions from Committee Members and Responses:**

**REP. PECK** asks what the connection between their office and the Montana Advocacy Program. **Mr. Haire** says there is no official connection. Montana Advocacy's presence at the State hospital has been redefined. Prior to a year ago they had a full time attorney in the legislative services office. It's now on an as needed basis. They have been involved with them to avoid duplication. **REP. PECK** asks if there is a coordination. **Mr. Haire** says the meet at least quarterly and have tried to more clearly define. They have the authority to review the allocation act. Their primary mandate is to review all facilities that they have commitments in like East Mount, Mental Health, and Private and public psychiatric.

**CHAIRMAN TAYLOR** asks about the 3.5 staff. **Mr. Haire** says it is himself, a staff attorney at the State hospital, a paralegal/advocate at the State hospital, and a part time paralegal in Helena.

**{Tape : 3; Side : A; Approx. Time Counter : 0 - 22.3}**

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**ADJOURNMENT**

Adjournment: 11:03 A.M.

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REP. LILA TAYLOR, Chairman

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LYNN DAILY, Secretary

LT/LD

**EXHIBIT** (jgh16aad)